

REMARKS

Claims 1-4 are currently pending in the application. Claim 4 is rejected and claims 1-3 are allowed. The application and claims have not been amended in response to the present Office Action. Therefore, no new matter has been added. Below is a response to the Examiner's rejection of claim 4 in the present Office Action.

Claim Rejections - 35 U.S.C. § 102

Claim 4 was rejected under 35 U.S.C. § 102(b) as being anticipated by JP11-210843 (the '843 reference). The Examiner asserts that the '843 reference discloses each and every element of independent claim 4. Applicants respectfully traverse the rejection of claim 4 for the following reasons.

A claim is anticipated under 35 U.S.C. § 102 only if each and every element, as set forth in the claim, is found expressly or inherently described in a single prior art reference. M.P.E.P. § 2131. Further, the elements must be arranged as required in the claim. In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990). Thus, in order to anticipate a claim, a single reference must teach each and every element of the claim and the elements of the reference must be arranged as required in the claim.

Referring to Figs. 1 and 3, the '843 reference discloses an internal gear which consists of two or more pins formed in an inner circumference of a case 11. An inner ring or race 22 provides detachment prevention to the pins 12a [0015]. Specifically, paragraph [0015] of the '843 reference states:

In the speed reducer according to the embodiment as described above, in a state that each of the inner ring 22 of the rolling bearings 20A, 20B is attached to the casing 11 together with the carrier 19, the pins 12a are prevented from being detached by the inner rings 22. Accordingly, it is not necessary to provide separate member for preventing the detachment of the pins. Further, since the inner rings 22 also regulate movements of the external gears 14, 15 in the axial direction of the pins 12a, number of parts can be further reduced.
[Emphasis added]

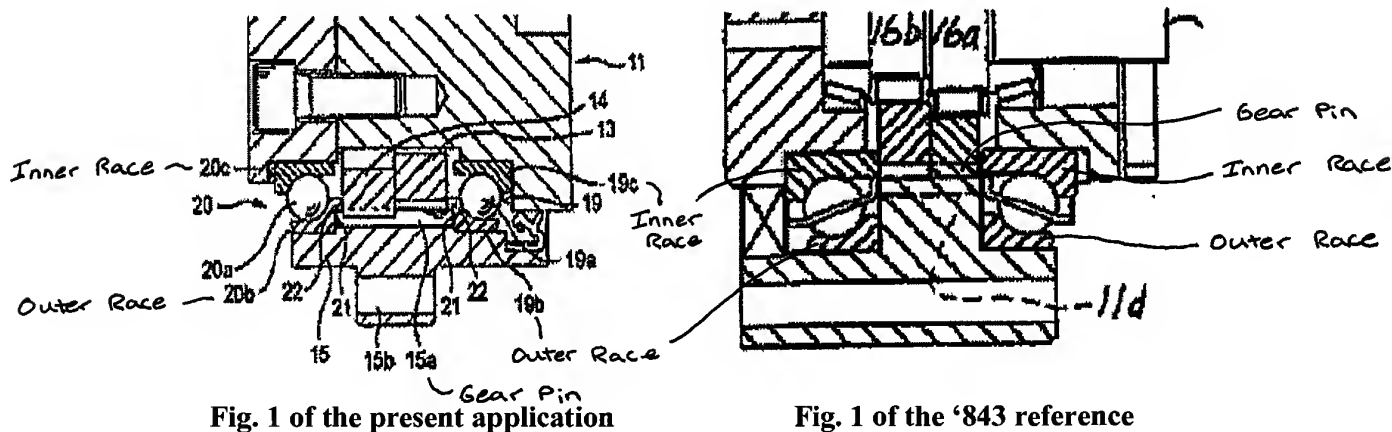
Independent claim 4 is directed to an oscillating gear device and recites as follows:

an internal gear having internal gear pins on an inner periphery thereof;
a carrier rotatable relative to the internal gear;
a pair of bearings, each having a rolling element and a ring body having an outer race and an inner race for supporting the rolling element and disposed between an outer periphery of the carrier and the inner periphery of the internal gear;

a crank shaft freely rotatably mounted on the carrier; and
an external gear equipped with external teeth, engaged with
the internal gear pins on the outer periphery thereof, fitted to a
crank portion of the crank shaft and disposed between the pair of
bearings, wherein the external gear makes an eccentrically
oscillating motion by rotation of the crank shaft so that a rotational
output is taken out from one of the internal gear and the carrier,
wherein an end face of the outer race in one of said pair of bearings
is adjacent to an end of the internal gear pins, and said end face of
the outer race regulates movement in an axial direction of the
external gear. [Emphasis added]

Applicants respectfully submit that the '843 reference fails to disclose each and every element of independent claim 4 of the present application. Specifically, the '843 reference fails to disclose, teach or even suggest that 1) an end face of the outer race 21 in one of the pair of bearings is adjacent to an end of the internal gear pins 12a; and 2) an end face of the outer race 21 regulates movement in an axial direction of the external gear 14, 15, as recited in independent claim 4. In contrast, as seen above and shown in Fig. 3, the '843 reference explicitly discloses that the inner race or ring 22 is adjacent to an end of the internal gear pins 12a and the inner race 22 regulates movement of the external gears 14, 15 in the axial direction of the pins 15a.

For clarity, below is a side-by-side comparison of the devices of the present application and of the '843 application, showing the above-identified differences:



In lines 11-17 on page 2 of the Office Action, the Examiner asserts that the outer race 21 of the '843 reference can be considered the inner race 19c, 20c, as recited in claim 4. However, Applicants respectfully, but strenuously, traverse this interpretation because the inner race 22 of the '843 reference could not be considered the outer race 19b, 20b, as recited in claim 4, by one of ordinary skill in the art. Specifically, it is well known in the art, and common to the structure

of both the '843 reference and the device of claim 4, that the inner ring or race rotates with the carrier (see Fig. 1 of the '843 reference and the present application), while the outer ring or race is stationary to the pins of the internal gear. Further, it is common in the art that the external gears rotate, but at a rotation speed that differs from that of the carrier and the inner race. Accordingly, one of ordinary skill in the art would say that it is common that the inner race rotates and regulates the axial direction of the external gear.

In the device of claim 4, the outer race 19b, 20b, which is stationary, regulates the axial direction of the external gear 13, 14, which rotates. The external gear 13, 14 must slide on the end face of the outer race 19b, 20b when it rotates for regulation. As is well-known in the art, contact state for regulation is analytically different for rotation-rotation contact and rotation-stationary contact. As a result, it is not possible to simply interchange the regulation between the inner race and the outer race, as proposed by the Examiner.

By regulating the external gear by the outer race, as recited in claim 4, the torque transmitting performance can be improved. This is because the internal gear pins can be located further in the radial outer side (i.e., the pitch circle of the internal gear can be larger) in this structure, as compared with the '843 reference even with the same size bearings.

Based on the above, the '843 reference fails to disclose each and every element of independent claim 4. Therefore, Applicants respectfully submit that independent claim 4 is not anticipated by the '843 reference and Applicants respectfully request the rejection under 35 U.S.C. § 102(b) be reconsidered and withdrawn.

Allowable Subject Matter

Applicants thank the Examiner for indicating that claims 1-3 are allowed.

CONCLUSION

In view of the foregoing Request for Reconsideration, Applicants respectfully submit that the present application, including claims 1-4, is in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

Kenichi Fujimoto, *et al.*

June 12, 2009 By: Martin T. Voelckel, Reg. No. 58,877, for
(Date) **MARTIN G. BELISARIO**
Registration No. 32,886
PANITCH SCHWARZE BELISARIO & NADEL
LLP
One Commerce Square
2005 Market Street, Suite 2200
Philadelphia, PA 19103-7013
Telephone: 215-965-1330
Direct Dial: 215-965-1292
Facsimile: 215-965-1331
E-Mail: mbelisario@panitchlaw.com

MGB/MTV